

21

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/526,031	MIYASAKA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Elias Desta	2857	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 10/20/2006.
2. ☒ The allowed claim(s) is/are 1-28,38-52,60 and 61.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>July 20, 2006</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                        | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### *Detailed Action*

#### *Response to Amendment*

1. The Examiner acknowledges the cancellation of claims 29-37 and 53-59 and accepts the amendment to the objection of claims 38 and 39. Therefore, the objection to claims 38, 29 and the dependent claims 40-48 and 61 is withdrawn.

#### *Allowance*

2. Claims 1-28, 38-52, 60 and 61 are allowed. The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 24, 38, 49 and 60: Quist et al. (U.S. Patent 6,199,018, hereon Quist) teaches a distributed diagnostic system in which the plurality of local monitoring devices collect local information concerning various machines and process that information (see Quist, column 2, lines 10-35) and Takizawa et al. (U.S. PAP 2005/0259903, hereon Takizawa) teaches a bearing device and ring with sensor for the bearing device with a diagnostic where a detecting sensor circuit is attached to the inner race of the bearing (see Takizawa, Fig. 6B). However, none of these references teach a controlling processing portion for feeding back a control signal to a control system of the railway vehicle based on the decision result or a filtering processing portion for removing an unnecessary frequency band from a vibration waveform from the vibration sensor, an envelope processing portion, frequency analyzing portion for analyzing a frequency of a waveform transferred from the envelope processing portion, a comparing/collating portion for

Art Unit: 2857

comparing a frequency generated due to damage calculated based on a rotation speed with a frequency derived based on actually measured data, and result outputting portion for identifying a presence or absence of the abnormality and an abnormal location based on a compared result in comparing/collating portion of the unit.

The remaining claims 2-23, 25-28, 39-48, 50-52 and 61 are dependent upon claims 1, 24, 38, 49 and 60 and contain further limitations.

Citation of pertinent prior art

- Post (U.S. Patent 5,356,098) teaches communication system for transmitting RF signals representative of defects or hazards in Railway system having frangible glass activation.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elias Desta whose telephone number is (571)-272-2214. The examiner can normally be reached on M-Th (8:30-7:00).

Art Unit: 2857


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have Questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Elias Desta  
Examiner  
Art Unit 2857

- E.d

October 28, 2006

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800